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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,434	01/14/2004	Feisal Y. Daruwalla	CISCP134C1/8803	5662

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EXAMINER	
SAMUEL, DEWANDA A	

ART UNIT	PAPER NUMBER
2464	

NOTIFICATION DATE	DELIVERY MODE
12/11/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@wavsip.com

Office Action Summary	Application No.	Applicant(s)	
	10/758,434	DARUWALLA ET AL.	
	Examiner	Art Unit	
	DEWANDA SAMUEL	2464	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 August 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the communication filed on 08/27/2009. Claims 1-10 are pending and claims 1-7 and 10 were amended.

Response to Arguments

2. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersson et al. (US Patent 6,931,016) in view of Gibrech (6,173,399).

With regard to claim 1,3,5, 10, Andersson et al. disclose having an apparatus for routing packets from a first network node to a second network node in a data network, comprising: means for provisioning and then sending an ID to the first node. **Andersson et al. disclose having a virtual private network management system, (see title). Andersson et al. further disclose VPN manager server 14 which establish , maintains and terminates VPNs for any set of**

network devices, (see col.3 lines 5-15). Andersson et al. disclose having a message generator 24 for generating messages identifying members of various VPNs whereby the information is retrieve from the database, (see col.3 lines 50-67 and fig.3) ; wherein provisioning the unique first node ID also comprises determining a virtual private network (VPN) that is associated with the first node. **(see fig.3, a node ID associated with VPN),** selecting the unique first node ID from a set of unique ID's that are associated with the VPN of the first node. **Andersson et al. disclose the manager server 14 managing a database 22a which contains a list network devices, (see col.3 lines 62-67 and col. 4 lines 1-5)** wherein the provisioning, sending and mapping are accomplished by one or more entities other than the first node. **(Andersson et al. disclose having a manager server 14 establish , maintains and terminates VPNs for any set of network devices, (see col.3 lines 5-15);** means for receiving a packet from the first node, said packet including the ID associated with said first node. **Andersson et al. teach the manager server 14 receive a request from a router 18 and the request includes the IP address of the router, (see col. 4 lines 7-17)**; and means for using said unique second node ID, and the mapping to determine whether said first node is associated with at least one VPN, (**Andersson et al. disclose processing a request to determine VPN identifier, IP address and the security data form a router 18 , (seecol.4 lines 18-32).**

However, Andersson et al. do not disclose mapping a unique second ID with the VPN of the first node, and including routing information for routing said packet to a destination address associated with said second node,**(Gilbrech discloses having a process and apparatus for the operation of virtual private networks on a common data packet communication,(see title). Gilbrech further discloses having a VPN unit 520 process a packet with a source address and a destination address and determining if VPN group, (see col.8 lines 30-44).**

Gilbrech disclose the VPN unit forward a packet to a destination address, (see col.7 lines 63-67).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement a VPN unit scheme which taught by Gilbrech into Andersson et al. VPN network disclose efficiently facilitating data transfer whereby increasing reliable throughput.

With regard to claim 2, 4,6 and 11, Andersson et al. further teach the first unique ID differs from the second unique ID. **Andersson et al disclose network devices ID have IP address , (see fig.3 and col. 4 lines 18-20).**

With regard to claim 7, Andersson et al. further teach means for receiving at said Head End device a packet from said first node. **Andersson et al. teach the manager server 14 receive a request from a router 18 and the request includes the IP address of the router, (see col. 4 lines 7-17);** means for examining said packet to identify the ID of said first node; and means for using said ID at said Head End device to determine whether said first node is a member of at least one VPN. **(Andersson et al. disclose having a manager server 14 interpreted as a "Head end device" processing a request to determine VPN identifier, IP address and the security data form a router 18 , (seecol.4 lines 18-32).**

However, Andersson et a. do not disclose having a packet including a destination address

corresponding to a second node in the network. **Gilbrech further discloses having a VPN unit 520 process a packet with a source address and a destination address and determining if VPN group, (see col.8 lines 30-44). Gilbrech disclose the VPN unit forward a packet to a destination address, (see col.7 lines 63-67).**

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement a VPN unit scheme which taught by Gilbrech into Andersson et al. VPN network disclose efficiently facilitating data transfer whereby increasing reliable throughput.

With regard to claim 8, Andersson et al. further teach means for if it is determined that said first node is a member of a first VPN. **(Andersson et al. disclose having a manager server 14 interpreted as a "Head end device" processing a request to determine VPN identifier, IP address and the security data form a router 18 , (seecol.4 lines 18-32).**

However, Andersson et a. do not disclose determining at said Head End device whether the destination address of said packet is within said first VPN. **Gilbrech further discloses having a VPN unit 520 process a packet with a source address and a destination address and determining if VPN group, (see col.8 lines 30-44). Gilbrech disclose the VPN unit interpreted as a "head end device" forward a packet to a destination address, (see col.7 lines 63-67).**

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement a VPN unit scheme which taught by Gilbrech into Andersson et al. VPN network disclose efficiently facilitating data transfer whereby increasing reliable throughput.

With regard to claim 9, Andersson et al. further teach means for routing the packet to the second node. **Andersson et al. disclose having a manager server 14 has the capability of sending data to various router 18, (see col. 3 lines 45-61).**

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEWANDA SAMUEL whose telephone number is (571)270-1213. The examiner can normally be reached on Monday-Thursday 8:30-5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ricky Ngo/
Supervisory Patent Examiner, Art Unit 2464

/DeWanda Samuel/
Examiner, Art Unit 2464
12/9/2009